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In re Application of
Neville, et al.
Application No. 09/810,999
Filed: March 16, 2001
Attorney Docket No. 14028.0284U2

OFFICE OF PETITIONS
ON PETITION

This is a decision on the petition to withdraw the holding of abandonment under 37 CFR 1.181, or in the alternative to revive under 37 CFR 1.137(b), filed on July 23, 2007.

The petition under 37 CFR 1.181 is **DISMISSED**.

The petition under 37 CFR 1.137(b) is **GRANTED**.

The above-identified application became abandoned for failure to timely pay the issue fee in response to the Notice of Allowance mailed February 1, 2007, which set a statutory period for reply of three (3) months. Applicant filed the issue fee on May 4, 2007. The issue fee did not contain a timely Certificate of Mailing. Accordingly, the application became abandoned on May 2, 2007. A Notice of Abandonment was mailed on May 30, 2007.

Petition Under 37 CFR 1.181:

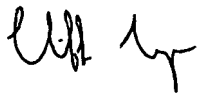
As set forth above, and as acknowledged by petitioner, the issue fee transmittal form did not contain an executed Certificate of Mailing. As such, the issue fee is considered filed on the day it is received in the Office, or May 4, 2007. In view thereof, the petition to withdraw the holding of abandonment under 37 CFR 1.181 must be dismissed.

Petition Under 37 CFR 1.137(b):

However, petitioner has met the requirements to revive the application under 37 CFR 1.137(b). Petitioner paid the petition fee and made the proper statement of unintentional delay.

The matter is being forwarded to the Office of Patent Publication for processing into a patent.

Telephone inquiries concerning this decision should be directed to the undersigned at (571)272-3207.



Cliff Congo
Petitions Attorney
Office of Petitions